

UNITED STATES DISTRICT COURT

Jury demand date: 2-22-73 waived
3-14-73 by defendant.

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS							
BERNICE SMITH AND WINFREY A. SMITH, vs. <i>Dismissed 6-26-71</i> RICHARD MICHAEL PHILLIPS AND RICHARD ROMANS				For plaintiff: Dale Warner Rucker, Tabor, McBride & Hopkins P. O. Box 1439 Tulsa, Oklahoma 74101 Dale Warner Franklin Bldg. Tulsa, Okla. 74103							
				For defendant: <i>Withdrawn</i> Alfred B. Knight <i>584-6457</i> 310 Beacon Building Tulsa, Oklahoma 74103							
STATISTICAL RECORD		COSTS		DATE		NAME OR RECEIPT NO.		REC.		DISB.	
J.S. 5 mailed <i>3-1-73</i>		Clerk		2-22-73 3-1-73		Rucker, C.D.No.38		1500		15 00	
J.S. 6 mailed <i>9-1-74</i>		Marshal									
Basis of Action: Auto Acci- dent, personal injury		Docket fee									
		Witness fees									
Action arose at:		Depositions									

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-22-73	Complaint filed, summons issued. jj (Jury trial requested)	
2-27-73	Return on service of summons filed. Served Richard Michael Phillips at Tulsa, Oklahoma on 2-23-73. (\$6.36) ds Served Richard Romans at Tulsa, Oklahoma on 2-22-73. (\$4.44) ds	
3-13-73	Answer of defts., filed. hm	
3-14-73	Request for jury trial filed by defendants. h	
3-15-73	Motion to Produce of plaintiffs, filed. jj	
3-15-73	Brief in Support of Motion to Produce, filed. jj	
3-15-73	Ordered that deft. is granted 10 days to respond to pltf's Motion to Produce (AEB-J)jj	
3-26-73	Case called for hearing on pltf's motion to produce and hearing stricken, since motion is moot. (LB-J)hm	
5-8-73	Ordered by the Court that this case is set for Pre-Trial Hearing on May 24, 1973, at 10:00 A.M. (LB-J)v -notices mailed.	
5-24-73	Hearing on P-T was passed.(LB-J)r	
7-5-73	Case set for pre-trial hearing 7-19-73 at 1:30 p.m. (LB-J)hm	
7-19-73	Pre-trial hearing held. Statements made. Pltf. to prepare and file pre-trial order and case to be set for jury trial. (EST-1 day)(LB-J)hm	
8-28-73	Case set for jury trial 10-24-73 at 9:30 a.m. (LB-J)hm	
9-20-73	Case continued from jury trial setting of 10-24-73 and reset for 10-30-73 at 9:30 a.m. (LB-J)hm	
10-17-73	<u>Pre-Trial Order filed.</u> (LB-J)h	
10-18-73	Depositions of Carolyn Sue Smith Tucker, Bernice Smith and Winfrey Smith, taken on behalf of deft., filed. (\$170.00)g	
10-18-73	Depositions of Richard Lloyd Romans and Richard Phillips, taken by pltf's., filed. (\$121.50)g	
10-30-73	Case passed from jury assignment of this date to 9:30 a.m. 11-1-73.(LB-J)hm	
10-30-73	Case passed from jury assignment of 11-1-73 pending settlement; if parties unable to reach settlement, they waive jury & case to be set on next non-jury docket for trial. (LB-J)hm	
6-4-74	Case set for non-jury trial 6-17-74 at 1:30 p.m. (LB-J)hm	
6-14-74	Ordered by the Court that this case is stricken from the Non-Jury Docket of June 17, 1974, pending settlement. (LB-J)v	
6-18-74	Attorneys for parties appear in Court to make record. Pltf. requests case be set on next non-jury docket. Mr. Dan Wagner to prepare order withdrawing as atty. for Richard Phillips. Pltf. to file motion to dismiss as to deft. Richard Romans. Deft's ex. 1 admitted into evidence. (LB-J)hm	
6-26-74	Order allowing partial dismissal, allowing counsel to withdraw, trial	(cont)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	setting, and notice to Richard Michael Phillips, filed, dismissing action as to deft. Richard Romans, allowing firm of Knight, Wilburn & Wagner to withdraw as counsel for deft. & that action is continued as to deft. Richard Michael Phillips. (LB-J)hm (copies mailed counsel & deft. Richard Michael Phillips)	
7-17-74	Case set for non-jury trial 7-25-74 at 10:00 a.m. (LB-J)hm	
7-25-74	Case called for non-jury trial. Pltf. counsel present; deft. represents pro se. Statements made. Case dismissed without prejudice to the pltf. pursuing action in State Court. Pltf. to prepare final order. (LB-J)hm	
8-8-74	Order allowing cause of action dismissed without prejudice, entered & filed. (LB-J)b (copies mailed Deft. & counsel)	

DATE	PROCEEDINGS	Date Order or Judgment Note